

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff,

v.

ALLAN B. THOMAS and  
JOANN E. THOMAS,

Defendants.

NO. CR19-210RAJ

ORDER CONTINUING TRIAL

The Court having held a status conference concerning the trial date in this matter at which defense counsel for Allan Thomas represented that he could not effectively prepare for, and try, this case on the currently scheduled date of January 4, 2022, due to a medical issue;

Both defendants having moved for a continuance of the trial date in order to allow counsel for Allan Thomas time to address the issue and to prepare for and represent his client at trial;

And both defendants having indicated on the record that they are willing to waive their right to a speedy trial until April 30, 2022, in order to allow counsel for Allan Thomas effectively to prepare for and represent his client;

1 THE COURT FINDS, based upon the representations made by defense counsel for  
2 Allan Thomas, that defense counsel could not effectively represent Allan Thomas if trial  
3 were to proceed on the currently scheduled date of January 4, 2022;

4 THE COURT FURTHER FINDS that the ends of justice served by granting a  
5 continuance outweigh the best interests of the public and the defendants in a more speedy  
6 trial. 18 U.S.C. § 3161(h)(7)(A), (B)(i) & (iv).

7 IT IS THEREFORE ORDERED that the defendants' motion to continue the trial date  
8 is GRANTED and the current trial date of January 4, 2022, is hereby stricken;

9 IT IS FURTHER ORDERED that trial is now SCHEDULED to begin on January 31,  
10 2022, at 9:00 a.m.

11 IT IS FURTHER ORDERED that the time between today's date and January 31,  
12 2022, is excluded in computing the time within which trial must commence, because the  
13 ends of justice served by granting this continuance outweigh the best interest of the public  
14 and the defendants in a more speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Failure to grant  
15 this continuance would likely make trial impossible, could result in a miscarriage of justice,  
16 and would deny counsel for the defendant the reasonable time necessary for effective  
17 preparation, taking into account the exercise of due diligence. *See id.* § 3161(B)(i) & (iv).

18 IT IS FURTHER ORDERED that the Court will hold a status conference at 10:00  
19 a.m. on January 10, 2022, in order to consider whether an additional continuance is required  
20 until April 25, 2022, based upon defense counsel's medical condition.

21 DATED this 29th day of December, 2021.

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25 The Honorable Richard A. Jones  
26 United States District Judge  
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